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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,021	06/20/2003	Jordi Alborno	ROC920030230US1	8486
46797	7590	11/21/2007		
IBM CORPORATION, INTELLECTUAL PROPERTY LAW DEPT 917, BLDG. 006-1 3605 HIGHWAY 52 NORTH ROCHESTER, MN 55901-7829			EXAMINER PHAM, KHANH B	
			ART UNIT 2166	PAPER NUMBER
			MAIL DATE 11/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ALY

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/600,021	Applicant(s) ALBORNOZ ET AL.	
	Examiner Khanh B. Pham	Art Unit 2166	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 November 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1, 5-15, 18-25, 27, 30 and 32-37.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


Khanh B. Pham
Primary Examiner
Art Unit: 2166

Continuation of 11:

Regarding to claim 1, applicant argued that Gupta does not teach "providing a set of annotation structure, each associated with one or more of the annotatable data objects and each defining attributes of one or more user interfaces for manipulating annotations for the annotatable data objects, wherein the one or more user interfaces comprises at least one graphical user interface, based on an associated annotation structures, and providing one or more transforms for use in transforming annotations structures into graphical user interfaces". On the contrary, Gupta teaches at Fig. 3 a set of annotation structure 17, 18 in SQL relational format (See Col. 7 lines 5-10) are transformed to HTML to be rendered and displayed to the user to the browser 153.

Applicant argued that Gupta does not mention of this transformation of annotation structure to HTML. On the contrary, as shown at Fig. 3, the annotation structure is displayed at the client in a web browser utilizing HTML format, Gupta therefore teaches the step of transforming annotation structure in SQL relational format to HTML.

Regarding claim 15, applicant argued that Gupta does not teach retrieving one or more annotation structures associated with a data object and dependent on at least on one credential of a user initiating the request, wherein the at least one credential comprises a role of the user". On the contrary, Gupta teaches at Col. 13 lines 1-10 that "annotation server 10 of Fig. 3 supports read and write access controls, allowing the creator of the set to identify which users are able to read and/or write to annotation set" and "only those sets for which the user has write access can be entered as set identifier" to be retrieved from annotation store 17,18 and rendered by the user interface 152. Gupta further teaches annotation sets can be classified based on role of the users such as "instructor's comments", "assistant's comment", "student question" at Col. 9 lines 15-25.

Regarding claims 25, 30, applicant argued that Gupta does not teach "receiving a request from one of the applications to create an annotation for a data object comprises receiving the request from a plug-in component that provides an interface between the requesting application and the executable component for managing annotations". On the contrary, as seen in Fig. 3 above, Gupta teaches the MAWS 130, which is a plug-in for the IIS module 135, that provides an interface between requesting application (i.e., Web Browser 153) and the executable component for managing annotation (i.e., ABE 132). Further, the user interface 152 could also be consider "a plug-in component" for the web browser 153, which sends a request to annotation server 10 and provide an interface between the requesting application (i.e., browser 153) and the executable component for managing annotation (i.e., "annotation server 10).

In light of the foregoing arguments, the 35 U.S.C 102 and 103 rejections are hereby sustained.